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May 8, 2023

BY ECF

Hon. Paul A. Engelmayer
United States District Court
Southern District of New York
40 Foley Square, Courtroom 1305
New York, NY 10007

Re: *Acuitas Capital, LLC v. Ideanomics, Inc.*, Case No. 1:23-cv-2124 (PAE)

Dear Judge Engelmayer:

I write on behalf of plaintiff Acuitas Capital, LLC (“Acuitas Capital”), and with the consent of counsel for defendant Ideanomics, Inc. (“Ideanomics”), pursuant to Rule 1.E of the Court’s Individual Practices. In its Notice of Initial Pretrial Conference (ECF No. 59), the Court set an initial conference for May 22, 2023, at 11:00 am ET, and also ordered the parties to confer and file a joint letter and Civil Case Management Plan and Scheduling Order on or before May 17, 2023.

I will be in depositions in another case in Salt Lake City, Utah, during the entire week of May 22, 2023. I have conferred with counsel for Ideanomics regarding his schedule. Both of us are currently available on any of the following dates: May 30, June 2, June 6, June 7, June 8, or June 9, 2023. Accordingly, I respectfully request that the initial pretrial conference be rescheduled to one of those dates if possible and that the pre-conference filings be due five calendar days before the conference. If the Court is not available on any of the above-listed dates, counsel will provide other dates.

We appreciate the Court’s consideration.

Respectfully,

A handwritten signature of Andrew B. Kratenstein in black ink.

Andrew B. Kratenstein

Granted. The conference is adjourned to June 7, 2023, at 11 a.m. The pre-conference filings shall be submitted by June 2, 2023. SO ORDERED.

A handwritten signature of Paul A. Engelmayer in black ink.

PAUL A. ENGELMAYER
United States District Judge
May 8, 2023

cc: Barry Bordetsky, Esq. (via ECF)